

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office FEB 19 1992

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_ Map filed APR 10 1992 under 57203The applicant Nevada Oil and Mining CompanyPO Box 3043

Street and No. or P.O. Box No.

of Elko

City or Town

Nevada 89801

State and Zip Code No.

hereby make<sup>s</sup> application for permission to change theManner and place of use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Claim 05665

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

Identify right in Decree.

1. The source of water is Starlight Portal (underground)  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 0.1  
Second foot, acre foot. One second foot equals 448.83 gallons per minute.
3. The water to be used for irrigation and domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for mining, milling de-watering, and domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point same as existing  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing permitted point of diversion is located within the NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 21, T. 46 N., R. 58 E.,  
If point of diversion is not changed, do not answer.  
MDM, from which the NE corner of said Section 21 bears N. 49°59' E., 1032 ft. dist.
7. Proposed place of use Portions of S $\frac{1}{2}$ S $\frac{1}{2}$  Sec. 9, portions of Sec. 16, and portions of  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
W $\frac{1}{2}$  Sec. 15, T. 46 N., R. 58 E., MDM.
8. Existing place of use portions of E $\frac{1}{2}$  Sec. 21, and portions of W $\frac{1}{2}$  Sec. 22, T. 46 N.,  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
R. 58 E., MDM, (mining claims)  
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
Intake structure, settling basin, storage tank  
specifications of your diversion or storage works.) in small diameter pipelines to supply nursery  
State manner in which water is to be diverted, i.e. diversion structure,  
stock of pine and fir trees to be planted within proposed place of use.  
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$30,000.00
13. Estimated time required to construct works 4 years

14. Estimated time required to complete the application of water to beneficial use. 10 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Wildlife which customarily use this source will not be excluded from continuous use. Irrigation system contemplated will utilize "drip" lines to individual hand-planted trees; hence a low annual duty is anticipated.

By s/William A. Nisbet  
421 Court St., Elko, NV 89801

Compared bk/se ab/se

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the manner and place of use of the waters of an underground source (Starlight Portal) heretofore appropriated under claim of vested right as evidenced by Proof of Appropriation of Water No. 05665 is issued with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed at or near the point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times. This permit is issued subject to any determination of the waters of this source that may be made under adjudication proceedings under NRS 533.090 through 533.320.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.1 cubic feet per second, but not to exceed 72.4 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before April 7, 1994

Proof of completion of work shall be filed before May 7, 1994

Application of water to beneficial use shall be made on or before April 7, 1997

Proof of the application of water to beneficial use shall be filed on or before May 7, 1997

Map in support of proof of beneficial use shall be filed on or before May 7, 1997

Completion of work filed JUN 02 1994

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 7th day of April

A.D. 19 93

[Signature]  
State Engineer

Abrogated By Perk 62497.0.1